

#17
5/28/03

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May 19, 2003

Time:

5:25 PM

(Minneapolis, Minn.)

TO: Commissioner for Patents
Attn: Mail Stop Petition
Facsimile Center
P.O. Box 1450
Alexandria, VA 22313-1450FROM: Ann M. McCrackin
OUR REF: 884.101US1

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TELEPHONE: 612-349-9592 Technology Center 2100FAX NUMBER 703-308-6916

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Document(s) Transmitted: Petition from Requirement for Restriction Under 37 C.F.R. 1.144 (2 pgs.)Total pages of this transmission, including cover letter: 3 pgs.

If you do NOT receive all of the pages described above, please telephone us at 612-373-6900, or fax us at 612-339-3061.

In re. Patent Application of: Howard Chin et al.Serial No.: 09/476622Filed: December 31, 1999Title: EXTERNAL MICROCODEExaminer: William M. TreatGroup Art Unit: 2183Docket No.: 884.101US1

05/27/2003 Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

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By: Ann M. McCrackin
Name: Ann M. McCrackin
Reg. No.: 42.858

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Anne M. Richards

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PETITIONS OFFICE

PATENTS/N 09/476,622IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Howard Chin et al.

Examiner:

William L. Treat

Serial No.: 09/476,622

Group Art Unit:

2183

Filed: December 31, 1999

Docket:

884.101US1

Title: EXTERNAL MICROCODE

PETITION FROM REQUIREMENT FOR RESTRICTION UNDER 37 C.F.R. § 1.144

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Technology Center 2100

In response to a request by Examiner William L. Treat on May 15, 2003, this explicit Petition from Requirement for Restriction under 37 C.F.R. § 1.144 is presented. As provided in MPEP § 818.03(c), Applicants' representative has requested reconsideration of the Requirement for Restriction. The Requirement remains in place, as noted in the Office Communication mailed by the Examiner on April 30, 2003. Since the Examiner has advised Applicants' representative that no further argument or response should be entered in this Petition, the Office is referred to the arguments (and references to this petition) presented in the Office Action Responses mailed by the Applicants on October 15, 2002, November 26, 2002, and January 24, 2003.

Therefore, the Applicants assert that the Restriction Requirement is improper, traverse the Requirement, and hereby petition for withdrawal of the Requirement, since:

- 1) Currently-pending claim 10 retains all of the limitations originally presented in the Application.
- 2) Currently-pending claims 21-40 are not directed to a "separate and distinct" invention from that claimed in originally filed claim 10.

PETITION FROM REQUIREMENT FOR RESTRICTION UNDER 37 C.F.R. § 1.144

Serial Number: 09/476,622

Filing Date: December 31, 1999

Title: EXTERNAL MICROCODE

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Dkt: 884.101US1

The kind consideration of the Office is truly appreciated in this matter. Please charge Deposit Account No. 19-0743 in the amount of \$130 to pay the Petition Fee as set forth in 37 CFR §1.17(h). If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

HOWARD CHIN ET AL.

By their Representatives,

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Date May 19, 2003

By Ann M. McCrackin
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: Mail Stop Petition, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19 day of May, 2003.

Anne M. Richards

Name

Signature